

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

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|-------------------------------|---|-------------------------------------|
| UNITED STATES OF AMERICA, |) | CIVIL ACTION NO.: 3:23-cv-04987-JFA |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | ORDER |
| |) | |
| \$524,015.40 IN UNITED STATES |) | |
| CURRENCY, |) | |
| |) | |
| <i>Defendant in Rem</i> |) | |

This *in rem* forfeiture action was filed on October 5, 2023, concerning \$524,015.40 in United States currency (the “Defendant Currency”) which is the proceeds of the real property known and numbered as 2795 Peachtree Road, NE, Unit 909, Atlanta, GA, TMS#: 17-0100-0004-124-7 (“Atlanta Property”). In August of 2023, the sales proceeds of the Atlanta Property due to the sole owner and claimant, Victor Ernesto Villagomez Sanchez, were issued to the U.S. Marshals Service for holding pending the resolution of a forfeiture action.

The Government served all known potential claimants, including Victor Ernesto Villagomez Sanchez (“Claimant”), by providing him with actual notice, as set forth in the Notice of Judicial Forfeiture filed with the court on October 6, 2023 (Docket Entry 8). As set forth in the Declaration of Publication filed with the court on November 7, 2023 (Docket Entry 9), and in accordance with Supplemental Rule G(4), Fed.R.Civ.P., notice of this forfeiture action was published on an official internet government forfeiture site,

“www.forfeiture.gov”, for at least 30 consecutive days, beginning on October 6, 2023, and ending on November 4, 2023. Any person claiming an interest in the Defendant Currency was required to file a claim within sixty days after the first date of such publication (by December 5, 2023). All time limits for the filing of claims have now expired, with no requests for extensions of such time limits having been requested or granted.

The United States and Victor Ernesto Villagomez Sanchez have reached the following settlement. First, \$314,409.24, of the Defendant Currency is to be returned to Victor Ernesto Villagomez Sanchez by the issuance of an electronic funds transfer payment in that amount from United States to a trust account held in the name of Law Offices of Nathan S. Williams, counsel for the Claimant.¹ Second, the balance of the Defendant Currency, to wit, \$209,606.16, is to be found and held forfeited, condemned, quit-claimed and abandoned to the United States, and shall be disposed of by the United States pursuant to law as a forfeited asset.

¹Federal law, codified at 31 U.S.C. § 3716 (the “Debt Collection Improvement Act of 1996”), requires the Department of the Treasury and other disbursing officials to offset Federal payments to collect delinquent tax and non-tax debts owed to the United States, and to individual states. If an offset is made to the payment to be made pursuant to this Order of the Court, Claimants will receive a notification from the Department of the Treasury at the last address provided by Claimants to the governmental agency or entity to whom the offset payment is made. The terms of the settlement specifically do not affect the tax obligations fines, penalties, or any other monetary obligations the Claimants owe to the United States or an individual state, and in fact, are intended to satisfy such a tax obligations. Therefore, the exact sum delivered to Counsel, on behalf of his clients, may well be a lesser sum, if the Treasury Offset Program reduces the amount in satisfaction of a debt obligation.

NOW THEREFORE, the Court being fully advised, and based on the Stipulation for Compromise Settlement, which is incorporated herein by reference, it is ORDERED, ADJUDGED, AND DECREED, that:

1. All persons and entities other than Victor Ernesto Villagomez Sanchez claiming any right, title or interest in or to the Defendant Currency are hereby held in default; and default judgment is entered against them.

2. Subject to reduction by any offset through the Treasury Offset Program, the United States shall return \$314,409.24 of the Defendant Currency to Victor Ernesto Villagomez Sanchez by electronic funds transfer payment from the United States to a trust account held in the name of Law Offices of Nathan S. Williams, counsel for the Claimant.

3. The parties shall each bear their own costs and expenses.

4. Pursuant to 21 U.S.C. § 881(a) and 18 U.S.C. § 981, the balance of the Defendant Currency, to wit, \$209,606.16, is hereby forfeited, condemned, quit-claimed and abandoned to the United States of America.

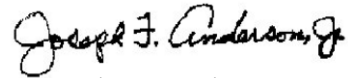
5. Clear title in and to the aforesaid \$209,606.16 of the Defendant Currency is hereby vested in the United States of America, and no other right, title or interest exists therein. All other claims in or to said \$209,606.16 of the Defendant Currency are hereby forever foreclosed and barred.

6. The \$209,606.16 of the Defendant Currency forfeited herein shall be disposed of by the Government in accordance with law.

[Signature Block on Next Page]

IT IS SO ORDERED.

January 29, 2025
Columbia, South Carolina

A handwritten signature in black ink, reading "Joseph F. Anderson, Jr." in a cursive script.

Joseph F. Anderson, Jr.
United States District Judge